

KANSAS WORKERS COMPENSATION

Computation of Benefits Workbook



KANSAS

Department of Human Resources
Division of Workers Compensation

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TABLE OF CONTENTS

Definitions.....	1
Temporary Total Disability.....	2
Formula for Computing Temporary Total Disability Benefits	3
Table of Scheduled Injuries	4
Chart of Scheduled Injuries.....	5
Schedule Injuries Computation	6 - 8
Chart of General Body Injuries.....	9
General Body Disability Computation.....	10
General Body Injury Computation	11 - 13
Steps to Compute the Benefits of Loss of Use to Multiple Fingers	14
Loss of Use Computation	15 - 16
Chart of Amputations.....	17
Healing Period Computation.....	18
Amputation Computation	19 - 21
Steps to Compute the Benefits of the Loss of Multiple Fingers.....	22
Amputation Multiple Fingers Computation.....	23
Chart of Amputation Multiple Fingers	24
Amputation Multiple Fingers Computation.....	25
Chart of General Body Injuries	26
Computing General Body Injury Prior to July 1, 1993	27
Permanent Partial General Disability Weekly Rate Formula	28
Computing General Body Injury Post July 1, 1993.....	29
Computing a Discount on a Scheduled Injury	30
Computing a Discount on a Non-Scheduled Injury	31
Computing a Discount on a General Body Injury Prior to July 1, 1993	32
Temporary Partial General Disability Computing.....	33

DEFINITIONS

GENERAL BODY INJURY – is an injury that affects the trunk of the body, the head or multiple **major** scheduled injuries.

HEALING PERIOD – in amputation cases a healing period may be allowed according to K.S.A. 44-510d(b). The healing period allows additional compensation in certain cases, as follows (whichever is shortest): (1) 10% of allowed schedule; (2) no longer than 15 weeks; or (3) ends when the employee returns to his or her usual occupation.

PERMANENT PARTIAL GENERAL DISABILITY – exists when a worker is disabled in a manner which is partial in character and permanent in quality, and which is not covered by the schedule.

PERMANENT TOTAL DISABILITY – exists when the employee, because of an injury, has been rendered completely and permanently incapable of engaging in any type of substantial and gainful employment.

SCHEDULED INJURY – is an injury that affects the extremities of the body, including the arms, legs, hands, feet, fingers, toes, and shoulders. Shoulders were added to the scheduled injuries July 1, 1993. Prior to that time shoulders were considered a general body injury.

TEMPORARY PARTIAL GENERAL DISABILITY – that exists temporarily when the worker returns to any employment at a wage less than at the time of injury, and is calculated on a weekly basis, not to exceed the statutory benefit maximum, until the wage loss is no longer present, or the benefit maximum is reached, whichever comes first.

TEMPORARY TOTAL DISABILITY – is the period of time that the injured worker has been rendered completely, but temporarily, incapable of engaging in any type of substantial and gainful employment.

TEMPORARY TOTAL DISABILITY

The computation of benefits is determined by the laws and rules, and maximum benefits that were in effect on the date of accident.

Temporary Total Disability exists when the injured worker has been rendered completely, but temporarily, incapable of engaging in any type of substantial and gainful employment whether from a scheduled or general body injury.

FORMULA

Average Weekly Wage multiplied by .6667 = Temporary Total Disability Benefit
(not more than maximum for date of accident)

Example: Date of accident 7-23-94 Wage: \$550.00

\$550.00	
x .6667	
\$366.69	exceeds the maximum rate

The statutory maximum for the date of accident is \$319.00. Two-thirds of this average weekly wage is more than the maximum therefore you would use \$319.00.

Example: Date of accident 7-23-94 Wage: \$375.00

\$375.00
x .6667
\$250.01

This amount does not exceed the statutory maximum for the date of accident so the \$250.01 would be used for this computation.

FORMULA FOR COMPUTING TEMPORARY TOTAL DISABILITY BENEFITS

AVERAGE WEEKLY WAGE TIMES .6667

Check the date of the accident so that you will not exceed the statutory maximum.

1. Date of accident 5-11-95
Average weekly wage..... \$498.31
2. Date of accident 1-10-92
Average weekly wage..... \$440.00
3. Date of accident 5-28-93
Average weekly wage..... \$475.00
4. Date of accident 12-31-91
Average weekly wage..... \$375.00
5. Date of accident 4-15-89
Average weekly wage..... \$495.00
6. Date of accident 7-01-93
Average weekly wage..... \$485.05
7. Date of accident 11-01-94
Average weekly wage..... \$600.00
8. Date of accident 7-12-94
Average weekly wage..... \$480.00
9. Date of Accident 7-10-93
Average weekly wage..... \$475.00

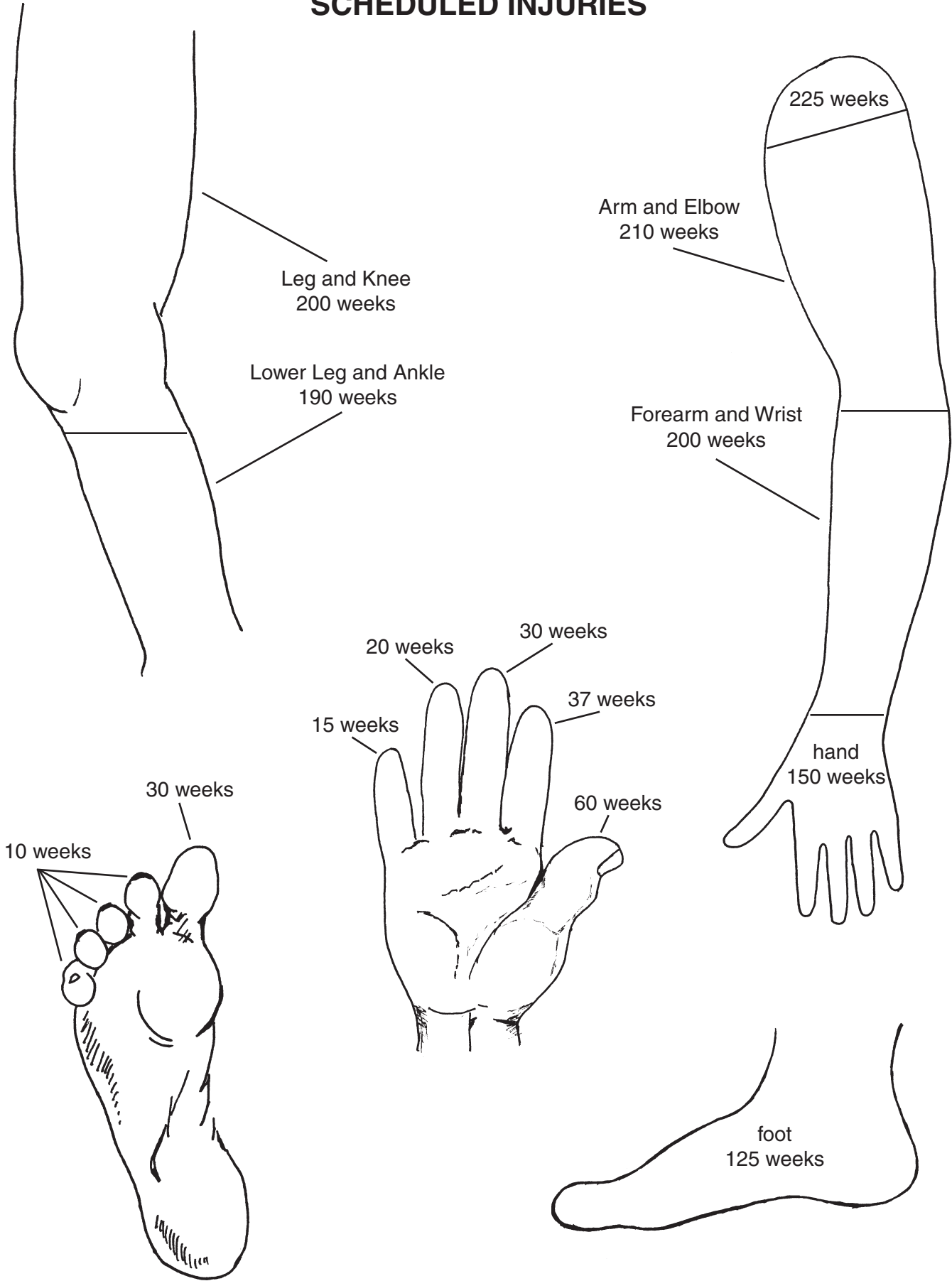
SCHEDULED INJURIES

Scheduled injuries are the injuries sustained by a worker that affect the extremities of the body such as the arms, legs, hands or fingers, etc.

Each extremity has a scheduled amount of weeks pertaining to that particular part of the body.

SCHEDULE	WEEKS
Shoulder	225
Arm	210
Forearm	200
Hand	150
Leg	200
Lower Leg	190
Foot	125
Eye	120
Hearing both ears	110
Hearing one ear	30
Thumb	60
1/2 Loss	30
First Finger (index)	37
2/3 loss	24.67
1/2 loss	18.50
Second Finger (middle)	30
2/3 loss	20
1/2 loss	15
Third Finger (ring)	20
2/3 loss	13.33
1/2 loss	10
Fourth Finger (little)	15
2/3 loss	10
1/2 loss	7.5
Great Toe	30
Great Toe (end joint)	15
Each Other Toe	10
Each Other Toe (end joint)	5

SCHEDULED INJURIES



SCHEDULE INJURY COMPUTATION

PROBLEM

Date of accident 7-23-94

Leg injury

30% loss of use

10 weeks lost time (temporary total disability)

\$495.00 average weekly wage

1. Find the weekly compensation rate.

Average weekly wage $\times .6667$ = Weekly compensation rate.

Example:	\$495.00	Wage
	<u>$\times .6667$</u>	Statutory percentage
	\$330.02	Weekly compensation rate (cannot exceed maximum for date of accident)

2. 200 weeks on schedule for a leg injury.

3. Subtract the weeks of temporary total disability from the schedule.

Example:	200	Weeks on schedule
	<u>- 10</u>	Weeks of temporary total disability
	190	Weeks remaining

4. Multiply the remaining weeks times the percent of disability to determine the number of weeks of permanent partial general disability compensation.

Example:	190	Remaining weeks
	<u>$\times 30\%$</u>	Percent of disability
	57	Weeks of permanent partial disability

5. Multiply the weeks of permanent partial disability by the compensation rate found in step #1.

Example:	\$319	Weekly compensation rate
	<u>$\times 57$</u>	Weeks of permanent partial disability
	\$18,183	Total permanent partial general disability compensation

6. Total compensation for temporary total disability and permanent partial general disability.

\$3,190.00	Temporary total disability for 10 weeks
<u>+ \$18,183.00</u>	Permanent partial general disability for 57 weeks
\$21,373.00	

SCHEDULE INJURY COMPUTATION

PROBLEM

Date of accident 4-02-93

Lower Leg

40% loss of use

17 weeks lost time (temporary total disability)

\$485.00 average weekly wage

1. Find the weekly compensation rate.

Average weekly wage x .6667 = weekly compensation rate

2. 190 weeks on schedule for a lower leg injury.

3. Subtract the weeks of temporary total disability from the schedule.

4. Multiply the remaining weeks times the percent of disability to determine the number of weeks of permanent partial general disability compensation.

5. Multiply the weeks of permanent partial general disability by the compensation rate found in step #1.

6. Total compensation for temporary total disability and permanent partial general disability.

SCHEDULE INJURY COMPUTATION

PROBLEM

Date of accident 6-14-95

Forearm injury

18% loss of use

20 weeks lost time (temporary total disability)

\$598.00 average weekly wage

1. Find the weekly compensation rate.

Average weekly wage x .6667 = weekly compensation rate

2. 200 weeks on schedule for a forearm injury.

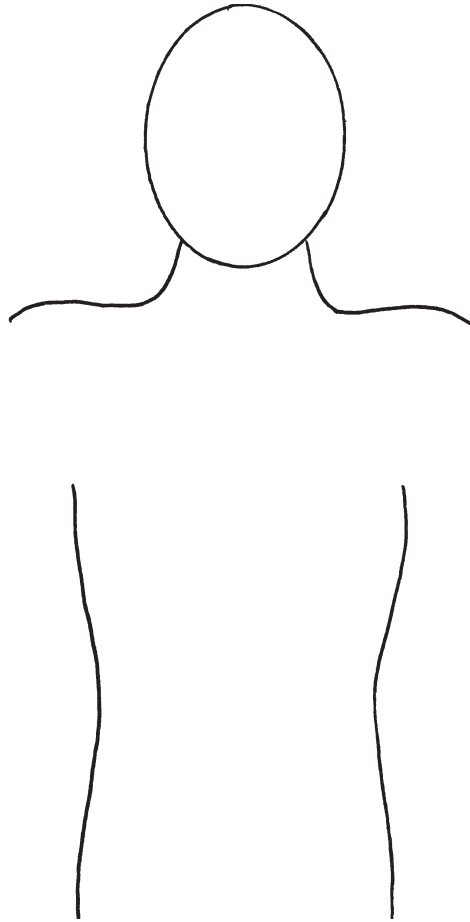
3. Subtract the weeks of temporary total disability from the schedule.

4. Multiply the remaining weeks times the percent of disability to determine the number of weeks of permanent partial general disability compensation.

5. Multiply the weeks of permanent partial general disability by the compensation rate found in step #1.

6. Total compensation for temporary total disability and permanent partial general disability benefits.

GENERAL BODY INJURIES



415 is the maximum number of weeks allowed for a general body injury. There is also a maximum number of total dollars. (A combination of major scheduled injuries also constitutes a general body injury).

GENERAL BODY DISABILITY

July 1, 1993

415 weeks is the maximum number of weeks allowed for a general body injury.

PROBLEM

Date of accident 7-03-93

Average weekly wage \$560.00

Disability 35% (back injury)

Off work 40 weeks

STEP 1 - Find the weekly compensation rate.

Average weekly wage x .6667 = Compensation Rate

Do not exceed the statutory maximum.

\$560	average weekly wage
x .6667	
\$373.35	over statutory maximum for date of accident (use maximum of \$313)

STEP 2 - Count number of temporary total disability weeks that exceed 15 weeks to determine the number of temporary total disability weeks that will be subtracted from the 415 weeks allowed for general body injuries.

40	weeks of TTD
- 15	
25	weeks that exceed 15

STEP 3 - Permanent partial disability weeks are determined by subtracting the weeks of temporary total disability that exceed 15 weeks from 415 weeks and then multiplying that figure by the percent of disability.

415	weeks
- 25	weeks TTD (the difference between 40 and 15)
390	weeks
x .35	disability
136.50	permanent partial general disability weeks

STEP 4 - Take the compensation rate times the permanent partial general disability weeks.

136.50 weeks x \$313 = \$42,724.50

NOTE: As of July 1, 1993, the shoulder is no longer a general body injury. It is now part of the schedule.

GENERAL BODY INJURY

PROBLEM

Date of accident 7-10-94

Average weekly wage \$560.00

Disability 35%

25 weeks of temporary total disability

- STEP 1** - Determine the compensation total rate.
(Average weekly wage x .6667 = _____)
Check the maximum for that date of accident.
- STEP 2** - Count the number of temporary total disability weeks that exceed 15.
- STEP 3** - Subtract the weeks of temporary total disability that exceed 15 from 415 (allowable weeks for general body).
- STEP 4** - Multiply the remaining weeks from step #3 times the percent of disability to determine the number of weeks of permanent partial general disability.
- STEP 5** - Multiply the weeks from step #4 times the compensation rate found in step #1.

GENERAL BODY INJURY

PROBLEM

Date of accident 2-28-94

Average weekly wage \$425.48

Disability 40%

15 weeks of temporary total disability

- STEP 1** - Determine the temporary total disability rate.
(Average weekly wage x .6667 = _____)
Check the maximum for that date of accident.
- STEP 2** - Count the number of temporary total disability weeks that exceed 15.
- STEP 3** - Subtract the weeks of temporary total disability that exceed 15 from 415 (allowable weeks for general body).
- STEP 4** - Multiply the remaining weeks from step #3 times the percent of disability to determine the number of weeks of permanent partial general disability.
- STEP 5** - Multiply the weeks from step #4 times the compensation rate found in step #1.

GENERAL BODY INJURY

PROBLEM

Date of accident 12-8-93

Average weekly wage \$284.83

Disability 50%

20 weeks of temporary total disability

- STEP 1** - Determine the temporary total disability rate.
(Average weekly wage x .6667 = _____)
Check the maximum for that date of accident.
- STEP 2** - Count the number of temporary total disability weeks that exceed 15.
- STEP 3** - Subtract the weeks of temporary total disability that exceed 15 from 415 (allowable weeks for general body).
- STEP 4** - Multiply the remaining weeks from step #3 times the percent of disability to determine the number of weeks of permanent partial general disability.
- STEP 5** - Multiply the weeks from step #4 times the compensation rate found in step #1.

STEPS TO COMPUTE THE BENEFITS OF LOSS OF USE TO MULTIPLE FINGERS

- ✓ Determine the number of weeks on the schedule for each finger that was injured.
- ✓ Subtract the temporary total disability weeks from the schedule with the greater number of weeks.
- ✓ Multiply the number of weeks for each injury by the percent of disability given to each finger to determine the "allowed" weeks.
- ✓ Add all of the "allowed weeks" together.
- ✓ Find the compensation rate.
$$\text{Average Weekly Rate} \times .6667 = \text{Compensation Rate}$$

(Check the maximum rate for that date of accident)
- ✓ Multiply the total number of weeks times the compensation rate.

LOSS OF USE

PROBLEM

Date of accident 10-18-92

Average weekly wage \$380.00

Disability	19%	Loss of Use of Index Finger
	24%	Loss of Use Middle Finger
	27%	Loss of Use Ring Finger
	62%	Loss of Use Little Finger
or	26%	Loss of Use to Hand

Lost Time - 31 Weeks

LOSS OF USE

PROBLEM

Date of accident 10-18-92

Average weekly wage \$380.00

Disability	19%	Loss of Use of Index Finger
	24%	Loss of Use Middle Finger
	27%	Loss of Use Ring Finger
	62%	Loss of Use Little Finger
or	26%	Loss of Use to Hand

Lost Time - 31 Weeks

1. 37 weeks for index finger (minus 31 weeks TTD) $\times .19 = 1.14$ weeks
30 weeks for middle finger $\times .24 = 7.20$ weeks
20 weeks for ring finger $\times .27 = 5.40$ weeks
15 weeks for little finger $\times .62 = 9.30$ weeks

2. 37 weeks minus 31 weeks of TTD = 6 weeks

3. 23.04 total weeks

4. $\$380.00 \times .6667 = \253.35

5. 23.04 weeks $\times \$253.35 = \$5,837.18$

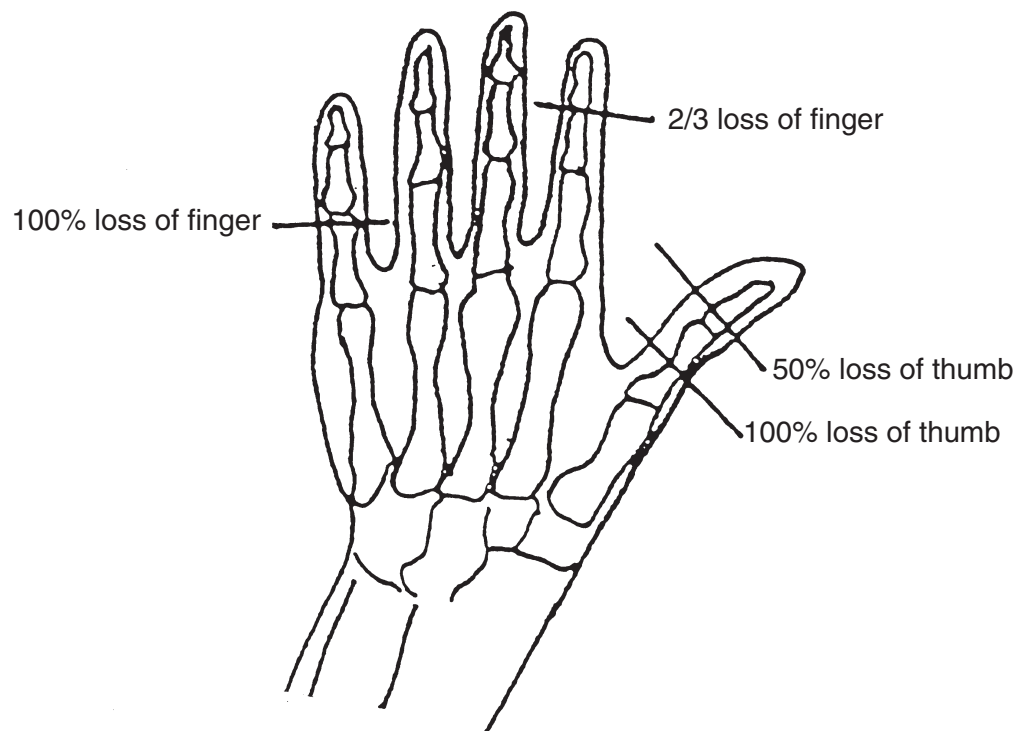
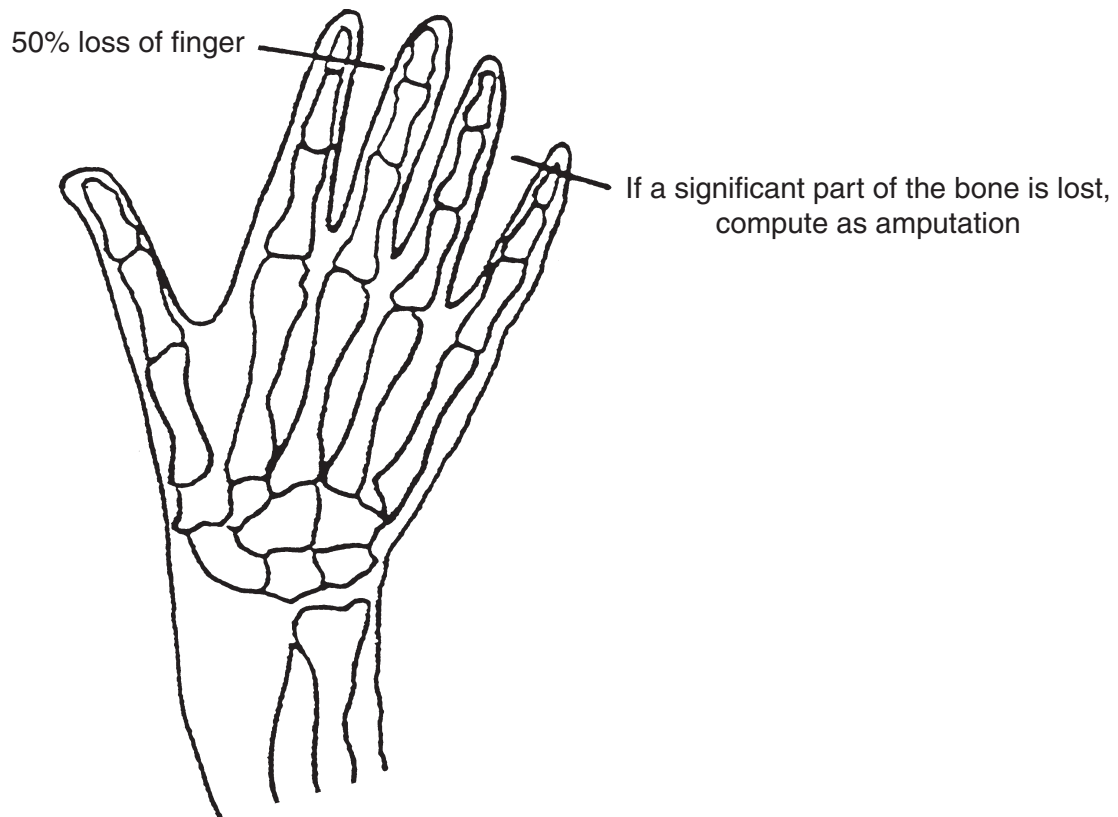
or 150 weeks for hand

- 31 weeks TTD

119 weeks $\times .26 = 30.94$ weeks $\times \$253.35 = \$7,838.65$

Pay for hand (K.A.R. 51-7-8 (d) (2))

AMPUTATIONS



HEALING PERIOD

Additional compensation during the healing period, may be allowed following amputations, according to K.S.A. 44-510d(b), in the following manner:

1. Not more than 10% of allowed schedule.
2. Not longer than 15 weeks.
3. Until the worker returns to their usual occupation.

1. Example

Foot injury

9 Weeks of Temporary Total Disability

125 weeks on the schedule for a foot injury.

10% of the schedule would be 12.5 weeks.

The healing period would be all of the 9 weeks of lost time since it is less than 10% of the schedule and less than the 15 week maximum.

2. Example

Forearm Injury

23 Weeks of Temporary Total Disability

200 weeks on the schedule for a forearm injury.

10% of the schedule would be 20 weeks.

The healing period would be 15 weeks since 10% of the schedule and the actual lost time both exceed the 15 week maximum.

3. Example

Thumb injury

5 Weeks of Temporary Total Disability

60 weeks on the schedule for a thumb injury.

10% of the schedule would be 6 weeks.

The healing period would be 5 weeks since the actual lost time was less than 10% of the schedule and less than the 15 week maximum.

AMPUTATION

PROBLEM

Date of accident 6-30-93

Thumb

Amputation to joint (not including)

10 weeks lost time

\$550.00 Average weekly wage

1. Find the weekly compensation rate.

Average weekly wage $\times .6667$ = weekly compensation rate

$\$550 \times .6667 = \366.69 (Maximum \$299, Use Max)

2. 60 weeks on schedule for LOSS OF thumb. (Check page 4)

3. Add the additional compensation healing period weeks allowed. (Check the guidelines for a healing period page 18)

$60 + 6 = 66$ compensable weeks

4. Subtract the temporary total disability weeks.

$66 - 10$ TTD weeks = 56 weeks

5. Multiply the allowed weeks times the weekly compensation rate.

$56 \text{ weeks} \times \$299.00 = \$16,744.00$

6. Total compensation for this injury

Temporary Total Disability Weeks	\$2,990.00
Permanent Partial General Disability Weeks	<u>+ \$16,744.00</u>
	\$19,734.00

AMPUTATION

PROBLEM

Date of accident 7-1-93

Little finger

50% loss

2 weeks temporary total disability

\$350.00 average weekly wage

1. Find the weekly compensation rate.

Average weekly wage $\times .6667$ = weekly compensation rate

2. _____ weeks on schedule for LOSS OF 50% little finger. (Check page 4)

3. Add the additional compensation healing period weeks allowed. (Check the guidelines for a healing period on page 18)

4. Subtract the temporary total disability weeks.

5. Multiply the allowed weeks times the weekly compensation rate.

6. Total compensation for this injury.

AMPUTATION

PROBLEM

Date of accident 6-3-95

Middle finger

66 2/3% loss

6 weeks temporary total disability

\$425.00 average weekly wage

1. Find the weekly compensation rate.

Average weekly wage $\times .6667$ = weekly compensation rate

2. _____ weeks on schedule for LOSS OF 66 2/3% of middle finger. (Check page 4)

3. Add the additional compensation healing period weeks allowed. (Check the guidelines for a healing period on page 18)

4. Subtract temporary total disability weeks.

5. Multiply the remaining weeks times the weekly compensation rate.

6. Total compensation for this injury.

STEPS TO COMPUTE THE BENEFITS OF THE LOSS OF MULTIPLE FINGERS

- ✓ Determine the number of weeks on the schedule for each finger that was involved in the injury.
- ✓ Following the guidelines for a healing period, apply the healing period weeks to each set of weeks involved.
- ✓ Add all of the "allowed weeks" together.
- ✓ Subtract the temporary total disability weeks.
- ✓ Find the compensation rate
$$\text{Average Weekly Rate} \times .6667 = \text{Compensation rate}$$

(Check the maximum rate for that date of accident)
- ✓ Multiply the total number of weeks times the compensation rate.

AMPUTATION

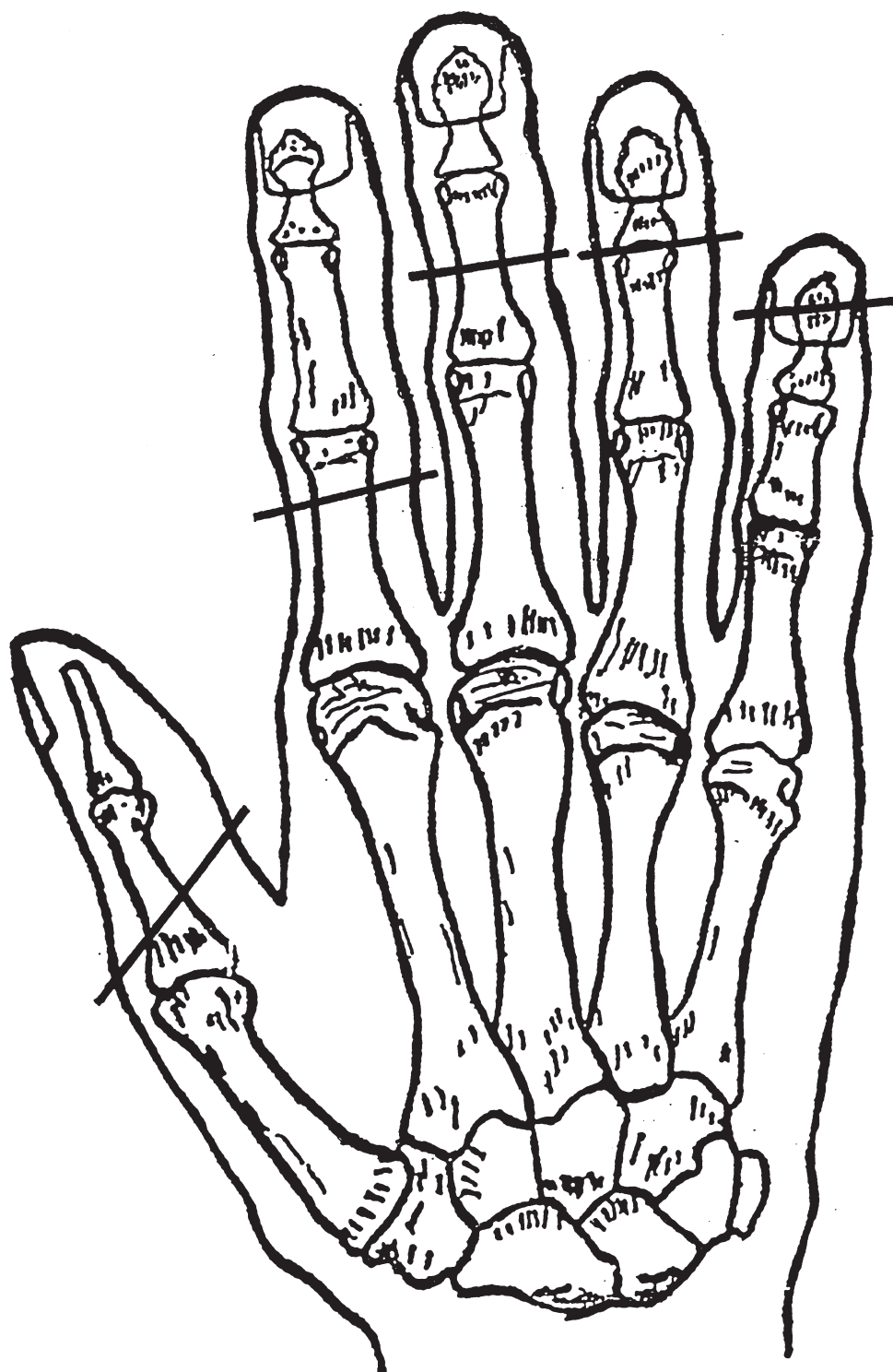
PROBLEM

Date of accident 5-20-94

Average weekly wage \$410.00

Disability	100%	Loss of Thumb
	100%	Loss of Index Finger
	2/3	Loss of Middle Finger
	2/3	Loss of Ring Finger
	1/2	Loss of Little Finger

Lost Time - 8 Weeks



AMPUTATION

PROBLEM

Date of accident 5-20-94

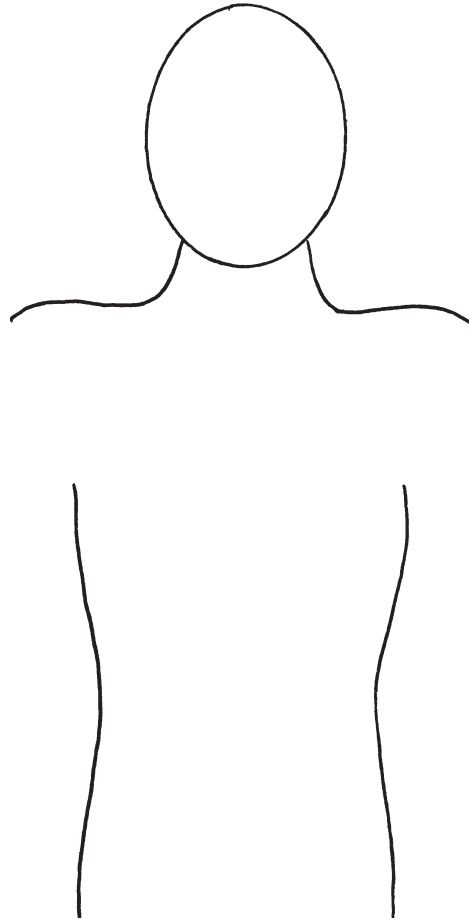
Average weekly wage \$410.00

Disability 100% Loss of Thumb
 100% Loss of Index Finger
 2/3 Loss of Middle Finger
 2/3 Loss of Ring Finger
 1/2 Loss of Little Finger

Lost Time - 8 Weeks

- | | | | | | |
|----|--------------|--|------------|----------------------------|----------------|
| 1. | 60 | weeks for thumb | 6 | weeks | = 10% of weeks |
| | 37 | weeks for index finger | 3.7 | weeks | = 10% of weeks |
| | 20 | weeks for middle finger | 2 | weeks | = 10% of weeks |
| | 13.33 | weeks for ring finger | 1.3 | weeks | = 10% of weeks |
| | <u>7.50</u> | weeks for little finger | <u>.75</u> | weeks | = 10% of weeks |
| | 137.83 | weeks | 13.78 | weeks | |
| 2. | 137.83 | total weeks | 13.78 | total healing period weeks | |
| 3. | + 8 | weeks healing period (13.78 exceeds lost time) | | | |
| | 145.83 | weeks | | | |
| 4. | - 8 | weeks TTD | | | |
| | 137.83 | weeks | | | |
| 5. | \$410.00 | x .6667 = \$273.35 (use this amount - lessor amount) | | | |
| 6. | 137.83 weeks | x \$273.35 = \$37,675.83 PPD | | | |
| | | <u>2,186.80 TTD</u> | | | |

GENERAL BODY INJURIES



415 is the maximum number of weeks allowed for a general body injury. There is also a maximum number of total dollars. (A combination of major scheduled injuries also constitute a general body injury.)

COMPUTING GENERAL BODY INJURY PRIOR TO JULY 1, 1993

There is both a maximum week limit and a maximum dollar limit on general body injuries. 415 weeks is the maximum number of weeks allowed for a general body injury. The dollar limit depends on the date of accident.

When computing the compensation benefits for a general body injury, it is necessary to find two rates: 1) the temporary total disability rate and 2) the permanent partial general disability rate.

FORMULA FOR TEMPORARY TOTAL DISABILITY RATE:

Average weekly wage x .6667 (CAN NOT EXCEED THE MAXIMUM)

FORMULA FOR PERMANENT PARTIAL GENERAL DISABILITY RATE:

Average weekly wage x percent of disability x .6667 (CAN NOT EXCEED THE MAXIMUM)

PROBLEM

Date of accident 3-10-89

Average weekly wage \$560.00

Disability 35% (back injury)

Off work 10 weeks

STEP 1 - Find the weekly compensation rate (temporary total disability rate)

\$560.00 Average weekly wage

x .6667

\$373.35

This amount is over the statutory maximum for the date of accident
(use maximum of \$263.00)

STEP 2 - Count number of temporary total disability weeks (lost time). 10 weeks of lost time

STEP 3 - Subtract temporary total disability weeks from 415 weeks to find number of permanent partial general disability weeks. $415 - 10 = 405$ weeks

STEP 4 - Determine the permanent partial general disability rate.

\$560.00

x .35

Disability

\$196.00

x .6667

\$130.67

Permanent Partial General Disability Rate

STEP 5 - Take the permanent partial general disability rate times the remaining weeks in Step 3.

\$130.67

x 405

Weeks

\$52,921.35

10 Weeks @ \$263.00 = \$2,630.00

405 Weeks @ \$130.67 = \$52,921.35

\$55,551.35 Total Compensation

PERMANENT PARTIAL GENERAL DISABILITY WEEKLY RATE

Formula: Average weekly wage times percent of disability times .6667 equals permanent partial general disability rate.

1. 2-28-87 - Date of Accident
 \$324.48 - Average Weekly Wage
 15% - Disability

2. 5-26-90 - Date of Accident
 \$205.97 - Average Weekly Wage
 40% - Disability

3. 9-23-90 - Date of Accident
 \$535 - Average Weekly Wage
 25% - Disability

4. 7-8-92 - Date of Accident
 \$475.80 - Average Weekly Wage
 35% - Disability

5. 2-2-93 - Date of Accident
 \$624 - Average Weekly Wage
 20% - Disability

6. 10-21-91 - Date of Accident
 \$497 - Average Weekly Wage
 75% - Disability

7. 2-2-92 - Date of Accident
 \$500.00 - Average Weekly Wage
 40% - Disability

8. 6-23-93 - Date of Accident
 \$435.00 - Average Weekly Wage
 30% - Disability

COMPUTING GENERAL BODY INJURY POST JULY 1, 1993

PROBLEM:

Date of accident 4-12-95

Average weekly wage \$782.00

Disability 15%

23 weeks of temporary total disability

1. Determine the temporary total disability rate.

Average weekly wage \times .6667 =

2. Count the number of temporary total disability weeks to be paid at the rate found in step #1. The first 15 weeks of TTD received is NOT subtracted from the 415 weeks on post 7-1-93 accidents.

3. Subtract temporary total disability weeks from 415 to find number of weeks of permanent partial general disability.

4. Figure the permanent partial general disability rate.

Average weekly wage \times percent of disability \times .6667 =

5. Take the permanent partial general disability rate times the remaining weeks in step 3.

COMPUTING A DISCOUNT ON A SCHEDULED INJURY

EXAMPLE

Average Weekly Wage \$480.00

Leg Injury (200) weeks

20% loss of use

Date of Accident 3-10-92

10 weeks of lost time (do not subtract the first 15 weeks of TTD)

35 weeks from the date of accident to day of settlement

$$\begin{array}{rcl}
 1. & 200 & \text{weeks on schedule for leg} \\
 & - 10 & \text{weeks of temporary total disability} \\
 & \hline
 & 190 & \text{weeks} \\
 & \times 20\% & \\
 & \hline
 & 38 & \text{weeks} \\
 & \times \$289 & \text{compensation rate} \\
 & \hline
 & \$10,982 &
 \end{array}$$

2. To compute the discount you need to . . .

- A. Determine how many weeks have passed from the date of the accident to the date of the settlement. In this case 35 weeks have passed.
- B. Add the temporary total disability weeks and the allowable weeks of permanent partial general disability.
- C. Subtract the weeks that have passed from the total weeks of temporary total disability and permanent partial general disability weeks.
- D. The remainder is the weeks in the future on which the discount may be taken.

$$\begin{array}{rcl}
 3. & 10 & \text{weeks of temporary total disability} \\
 & 38 & \text{weeks of permanent partial general disability} \\
 & \hline
 & 48 & \text{weeks} \\
 & - 35 & \text{weeks from the date of accident to settlement date} \\
 & \hline
 & 13 & \text{future weeks} \\
 & \times \$289 & \text{compensation rate} \\
 & \hline
 & \$3,757 & \\
 & \times 8\% & \text{discount} \\
 & \hline
 & \$300.56 &
 \end{array}$$

4. Compensation before discount

$$\begin{array}{rcl}
 10 \text{ weeks TTD @ } \$289 & = & \$2,890.00 \\
 38 \text{ weeks PPGD @ } \$289 & = & \underline{\$10,982.00} \\
 & & \$13,872.00
 \end{array}$$

Compensation after discount

$$\begin{array}{rcl}
 10 \text{ weeks TTD @ } \$289 & = & \$2,890.00 \\
 38 \text{ weeks PPGD @ } \$289 & = & \underline{\$10,681.44} \quad \text{after discount of } \$300.56 \\
 & & \$13,571.44
 \end{array}$$

COMPUTING A DISCOUNT ON A NON-SCHEDULED INJURY

EXAMPLE

Average Weekly Wage \$480.00

Back Injury (415) weeks

30% Disability

Date of Accident 8-10-93

25 weeks of lost time (do not subtract the first 15 weeks of TTD)

52 weeks from the date of accident to day of settlement

$$\begin{array}{rcl}
 1. & 415 & \text{weeks for back injury} \\
 & - 10 & \text{weeks of temporary total disability} \\
 & \hline
 & 405 & \text{weeks} \\
 & \times 30\% & \\
 & \hline
 & 121.50 & \text{weeks} \\
 & \times \$313 & \text{compensation rate} \\
 & \hline
 & \$38,029.50 &
 \end{array}$$

2. To compute the discount you need to . . .
 - A. Determine how many weeks have passed from the date of the accident to the date of the settlement. In this case 52 weeks have passed.
 - B. Add the temporary total disability weeks and the allowable weeks of permanent partial general disability.
 - C. Subtract the weeks that have passed from the total weeks of temporary total disability and permanent partial general disability weeks.
 - D. The remainder is the weeks in the future on which the discount may be taken.

$$\begin{array}{rcl}
 3. & 25.0 & \text{weeks of temporary total disability} \\
 & 121.5 & \text{weeks of permanent partial general disability} \\
 & \hline
 & 146.5 & \text{weeks} \\
 & - 52.0 & \text{weeks from the date of accident to settlement date} \\
 & \hline
 & 94.5 & \text{future weeks} \\
 & \times \$313 & \text{compensation rate} \\
 & \hline
 & \$29,578.50 & \\
 & \times 8\% & \text{discount} \\
 & \hline
 & \$2,366.28 &
 \end{array}$$

4. Compensation before discount

$$\begin{array}{rcl}
 25 \text{ weeks TTD @ } \$313 & = & \$7,825.00 \\
 121.50 \text{ weeks PPGD @ } \$313 & = & \$38,029.50 \\
 \text{Total} & = & \$45,854.50
 \end{array}$$

Compensation after discount

$$\begin{array}{rcl}
 25 \text{ weeks TTD @ } \$313 & = & \$7,825.00 \\
 121.50 \text{ weeks PPGD @ } \$313 & = & \$35,663.22 \text{ after discount of } \$2,366.28 \\
 & = & \$43,488.22
 \end{array}$$

COMPUTING A DISCOUNT ON A GENERAL BODY INJURY PRIOR TO JULY 1, 1993

EXAMPLE

Back Injury (415) weeks

20% Disability

Date of accident 5-5-86

10 weeks of lost time

Average Weekly Wage \$350.00

Date of Settlement 10-12-87

1. 415 weeks
 - 10 temporary total disability
 405 remaining weeks

2. \$350.00 average weekly wage
 x .6667
 \$233.35 temporary total disability rate

3. \$350.00 average weekly wage
 x 20% disability
 \$70.00
 x .6667
 \$46.67 permanent partial general disability rate

4. Number of weeks from the date of accident to date of the settlement is 75 weeks. Subtract this amount from the 415 to determine the weeks of FUTURE COMPENSATION.

5. 340 future weeks
 x 46.67 permanent partial general disability rate
 \$15,867.80

6. \$15,867.80 future weeks
 x 8%
 \$1,269.42 discount

TEMPORARY PARTIAL GENERAL DISABILITY

44-510e. Weekly compensation for **temporary partial general disability shall be 66 2/3% of the difference between the average gross weekly wage** that the employee was earning prior to such injury as provided in the workers compensation act **and the amount the employee is actually earning** after such injury in any type of employment . . .

EXAMPLE PROBLEM:

Date of Accident: 5-30-92

Average Weekly Wage: \$300.00

Temporary Partial General Disability: \$200.00

Disability: 10%

8 weeks of temporary total disability

2 weeks of temporary partial general disability

- 1. Determine the rate for temporary total disability, temporary partial general disability and permanent partial general disability.**

a) Temporary Total Disability - Average weekly wage $\$300 \times .6667 = \200.01

b) Temporary Partial General Disability	- Average weekly wage	\$300	
	Partial Wage	<u>- \$200</u>	
		\$100 x .6667 =	\$66.68

c) Permanent Partial General Disability - Average weekly wage
 $\$300 \times (\text{percent of disability}) 10\% \times .6667 = \20.00

- 2. Determine number of weeks for temporary total general disability, permanent partial general disability and temporary partial general disability.**

415	weeks for general body injury
- 8	weeks for temporary total disability
<u>407</u>	
- .66	* weeks for temporary partial general disability
<u>406.34</u>	weeks for permanent partial general disability

* Temporary Partial General Disability converted to Temporary Total Disability Rate.

$$\begin{aligned} \$66.68 \times 2 &= \$133.36 & \$133.36 \div \$200.01 \text{ (TTD rate)} &= .66 \text{ weeks TTD} \end{aligned}$$

3. Total Award

8	weeks at \$200.01	=	\$1,600.08
2	weeks at \$ 66.68	=	133.36
405	weeks at \$ 20.00	=	<u>8,100.00</u>
			<u>\$9,833.44</u>

NOTES

NOTES

